

(e) The Regional Administrator shall specify, in the permit or order, requirements for CAMUs to include the following:

(1) The areal configuration of the CAMU.

(2) Requirements for remediation waste management to include the specification of applicable design, operation and closure requirements.

(3) Requirements for ground water monitoring that are sufficient to:

(i) Continue to detect and to characterize the nature, extent, concentration, direction, and movement of existing releases of hazardous constituents in ground water from sources located within the CAMU; and

(ii) Detect and subsequently characterize releases of hazardous constituents to ground water that may occur from areas of the CAMU in which wastes will remain in place after closure of the CAMU.

(4) Closure and post-closure requirements.

(i) Closure of corrective action management units shall:

(A) Minimize the need for further maintenance; and

(B) Control, minimize, or eliminate, to the extent necessary to protect human health and the environment, for areas where wastes remain in place, post-closure escape of hazardous waste, hazardous constituents, leachate, contaminated runoff, or hazardous waste decomposition products to the ground, to surface waters, or to the atmosphere.

(ii) Requirements for closure of CAMUs shall include the following, as appropriate and as deemed necessary by the Regional Administrator for a given CAMU:

(A) Requirements for excavation, removal, treatment or containment of wastes;

(B) For areas in which wastes will remain after closure of the CAMU, requirements for capping of such areas; and

(C) Requirements for removal and decontamination of equipment, devices, and structures used in remediation waste management activities within the CAMU.

(iii) In establishing specific closure requirements for CAMUs under

§ 264.552(e), the Regional Administrator shall consider the following factors:

(A) CAMU characteristics;

(B) Volume of wastes which remain in place after closure;

(C) Potential for releases from the CAMU;

(D) Physical and chemical characteristics of the waste;

(E) Hydrological and other relevant environmental conditions at the facility which may influence the migration of any potential or actual releases; and

(F) Potential for exposure of humans and environmental receptors if releases were to occur from the CAMU.

(iv) Post-closure requirements as necessary to protect human health and the environment, to include, for areas where wastes will remain in place, monitoring and maintenance activities, and the frequency with which such activities shall be performed to ensure the integrity of any cap, final cover, or other containment system.

(f) The Regional Administrator shall document the rationale for designating CAMUs and shall make such documentation available to the public.

(g) Incorporation of a CAMU into an existing permit must be approved by the Regional Administrator according to the procedures for Agency-initiated permit modifications under § 270.41 of this chapter, or according to the permit modification procedures of § 270.42 of this chapter.

(h) The designation of a CAMU does not change EPA's existing authority to address clean-up levels, media-specific points of compliance to be applied to remediation at a facility, or other remedy selection decisions.

[58 FR 8683, Feb. 16, 1993, as amended at 63 FR 65939, Nov. 30, 1998]

#### § 264.553 Temporary Units (TU).

(a) For temporary tanks and container storage areas used to treat or store hazardous remediation wastes during remedial activities required under § 264.101 or RCRA 3008(h), or at a permitted facility that is not subject to § 264.101, the Regional Administrator may designate a unit at the facility, as a temporary unit. A temporary unit must be located within the contiguous property under the control of the owner/operator where the wastes to be

managed in the temporary unit originated. For temporary units, the Regional Administrator may replace the design, operating, or closure standard applicable to these units under this part 264 or part 265 of this chapter with alternative requirements which protect human health and the environment.

(b) Any temporary unit to which alternative requirements are applied in accordance with paragraph (a) of this section shall be:

- (1) Located within the facility boundary; and
- (2) Used only for treatment or storage of remediation wastes.

(c) In establishing standards to be applied to a temporary unit, the Regional Administrator shall consider the following factors:

- (1) Length of time such unit will be in operation;
- (2) Type of unit;
- (3) Volumes of wastes to be managed;
- (4) Physical and chemical characteristics of the wastes to be managed in the unit;
- (5) Potential for releases from the unit;
- (6) Hydrogeological and other relevant environmental conditions at the facility which may influence the migration of any potential releases; and
- (7) Potential for exposure of humans and environmental receptors if releases were to occur from the unit.

(d) The Regional Administrator shall specify in the permit or order the length of time a temporary unit will be allowed to operate, to be no longer than a period of one year. The Regional Administrator shall also specify the design, operating, and closure requirements for the unit.

(e) The Regional Administrator may extend the operational period of a temporary unit once for no longer than a period of one year beyond that originally specified in the permit or order, if the Administrator determines that:

- (1) Continued operation of the unit will not pose a threat to human health and the environment; and
- (2) Continued operation of the unit is necessary to ensure timely and efficient implementation of remedial actions at the facility.

(f) Incorporation of a temporary unit or a time extension for a temporary unit into an existing permit shall be:

- (1) Approved in accordance with the procedures for Agency-initiated permit modifications under § 270.41; or
- (2) Requested by the owner/operator as a Class II modification according to the procedures under § 270.42 of this chapter.

(g) The Regional Administrator shall document the rationale for designating a temporary unit and for granting time extensions for temporary units and shall make such documentation available to the public.

[58 FR 8683, Feb. 16, 1993, as amended at 63 FR 65939, Nov. 30, 1998]

#### § 264.554 Staging piles.

This section is written in a special format to make it easier to understand the regulatory requirements. Like other Environmental Protection Agency (EPA) regulations, this establishes enforceable legal requirements. For this “I” and “you” refer to the owner/operator.

(a) *What is a staging pile?* A staging pile is an accumulation of solid, non-flowing remediation waste (as defined in § 260.10 of this chapter) that is not a containment building and is used only during remedial operations for temporary storage at a facility. A staging pile must be located within the contiguous property under the control of the owner/operator where the wastes to be managed in the staging pile originated. Staging piles must be designated by the Director in accordance to the requirements in this section.

(b) *When may I use a staging pile?* You may use a staging pile to store hazardous remediation waste (or remediation waste otherwise subject to land disposal restrictions) only if you follow the standards and design criteria the Director has designated for that staging pile. The Director must designate the staging pile in a permit or, at an interim status facility, in a closure plan or order (consistent with § 270.72(a)(5) and (b)(5) of this chapter). The Director must establish conditions in the permit, closure plan, or order that comply with paragraphs (d) through (k) of this section.